

DEPARTMENT OF VETERANS AFFAIRS

Justification and Approval

For

Other Than Full and Open Competition

1. **Contracting Activity:** Department of Veterans Affairs Network contracting Office (NCO) VISN 21 proposes to enter into a firm-fixed price contract based on justification for other than full and open competition for the VA Northern California Health Care System (NCHCS).

2. **Nature and/or Description of the Action Being Processed:**

The purpose of this justification is to renew the lease of modular units currently at the VA NCHCS facility. Approval is requested to pursue a lease extension with the incumbent lessor without full and open competition for continued usage of the modular units in VA Northern CA Health Care System, 10535 Hospital Way, Mather, CA 94304-1209.

3. **Description of Supplies/Services required to meet the agency's needs:**

The intent of this project is to re-establish the leases for the existing modular buildings. The lease site is located at the VA NCHCS: 10535 Hospital Way, Mather CA 95655. Eight modular buildings built to specifications. Current units are listed below.

Serial Number	Description
CPX-04866	T-1
CPX-72840	T-3
CPX-73096	T-4
CPX-08740	T-5
CPX-73791	T-6
CPX-74267	T-7
CT-19039	Housekeeping Storage
SPI-23025	Restroom

The Purchase request is

The estimated value

4. **Statutory Authority permitting other than Full and Open Competition:**

- (X) (1) Only One Responsible Source and No Other Supplies or Services Will Satisfy Agency Requirements per FAR 6.302-1;
- () (2) Unusual Compelling Urgency per FAR 6.302-2;
- () (3) Industrial Mobilization, Engineering, Developmental or Research Capability or Expert services per FAR 6.302-3;
- () (4) International Agreement per FAR 6.302-4;
- () (5) Authorized or Required by Statute FAR 6.302-5;
- () (6) National Security per FAR 6.302-6;
- () (7) Public Interest per FAR 6.302-7;

5. Demonstration that the Contractor's Unique Qualifications or Nature of the Acquisition requires the use of the Authority Cited Above (applicability of authority):

In accordance with 41 U.S.C. 3304(a)(1), the agency's minimum needs can only be satisfied by unique supplies or services available from only one responsible source and no other type of property or services will satisfy the needs of the agency.

6. Description of efforts made to ensure that offers are solicited from as many potential sources as deemed practicable:

Far 6.305(d)(1) The justification shall be made publicly available at the Government Point of Entry (GPE) www.fedbizopps.gov; must remain for a minimum of 30 days.

7. Efforts to Solicit other Potential Sources:

No additional efforts to solicit other source because the modular building are currently on site and are customized to user needs. Changing vendor will interrupt the facility operation and it is not cost effective.

8. Future Acquisition Strategy & Efforts:

Future strategy is to obtain option years to contract to cover planned use of modular buildings.

9. Determination by the Contracting Officer that the Anticipated Cost to the Government will be Fair and Reasonable:

The anticipated dollar value for the contract action is less than annually. The modular buildings have been determined to be commercial in accordance with FAR 2.101; cost or pricing data will not be required. Pricing techniques such as described in FAR 13.106-3(a)(2) will be used to establish price fairness and reasonableness. The Contracting Officer determines that the anticipated price will be fair and reasonable based on historical price analysis and comparing it on similar items listed in GSA.

10. Description of the Market Research Conducted and the Results, or a Statement of the Reason Market Research was not conducted:

Market Research was conducted by searching and reviewing FBO, FPDS, and eCMS. The GSA website was also reviewed for existing vendors that provided the stated requirements. It was determined that the modular buildings are currently on site and are customized to the VA's needs. Changing vendor will interrupt the facility operation and it will accrue additional time and money for removing and installing new modular units.

11. Any other facts supporting the Use of Other than Full and Open Competition:

Delay in award would result in late payment to the current vendor and incurred interest of unpaid invoices.

12. Listing of Sources that Express, in Writing, an Interest in the Acquisition:

Williams Scotsman Inc.
4911 Allison Parkway
Vacaville, CA 95688

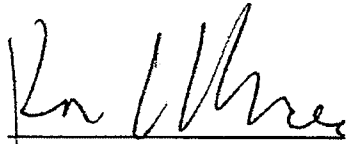
13. A statement of the Actions, if any, the Agency may take to Remove or Overcome any Barriers to Competition before making a subsequent acquisition for the supplies or services required:

Action to remove or overcome any barriers to competition for subsequent acquisitions will have to be made at the time that medical centers are considering returning the existing modular buildings, request new Modular's from another manufacturer or replace Modular's with new construction.

14. Requirements Certification:

I certify that the requirement outlined in this justification is a Bona Fide Need of the Department of Veterans Affairs and that the supporting data under my cognizance, which are included in the justification, are accurate and complete to the best of my knowledge and belief.

(This signature is the requestor's supervisor, fund control point official, chief of service or someone with responsibility and accountability)

3.26.15

Name: Kevin Maxson

Date

Title: Chief Engineering & Facilities Management

Facility: VA Northern California Health Care Systems

15. Approvals in accordance with FAR6.304: *This part is filled out by Contracting Staff as part of the Justification.*

- a. **Contracting Specialist's Certification (required):** I certify that the foregoing justification is accurate and complete to the best of my knowledge and belief.

Orville E.

Landicho 693813

Digitaly signed by Orville E. Landicho 693813
DN: cn=gov, c=us, o=external, ou=people,
o=3.2342.15000000.1001.1, email=landicho@v
a.gov, cn=Orville E. Landicho 693813
Date: 2015.04.06 08:45:31 -070004/06/2015

Name:

Date:

Title:

Facility:

- b. **Contracting Officer's Certification (required):** I certify the justification meets requirements for other than full and open competition.

4/6/15

Name: Dan Neal

Date:

Title: Chief Supply Branch I

Facility: NCD 21